



December 15, 2011

VIA EMAIL

Gina Donnelly, Deputy Director
CITY OF SAN JOSE
Office of Employee Relations
200 East Santa Clara Street
San Jose, CA 95113

RE: Negotiations and Sick Leave Payout

Dear Gina:

It has come to our attention that the City has offered to have sick leave payout options continue through June 30, 2012 for all bargaining units excluding the non-management Unions: AFSCME CEO and MEF, IBEW and OE-3. Our bargaining units had this benefit taken away with an effective date of December 31, 2011 as a result of the terms and conditions that were imposed on us in June 2011.

As you are certainly aware, the Union discussed Sick Leave Payout during the retirement negotiations in the context of possible incentives for current employees when choosing to opt-in to a modified retirement benefit.

We are extremely concerned with this disparate treatment of Sick Leave Payout, whereby the lowest paid, least likely to have substantial accumulation of leave (i.e. AFSCME members) are subject to losing this benefit. This is an unjust penalty for those of us at the bottom of the employment ladder, and furthermore, flies in the face of the City mantra of savings at all cost.

That said, AFSCME is requesting that the Sick Leave Payout benefit be reinstated to our represented employees with the same provision extended to the other bargaining groups and Senior Management Team with an expiration date of July 1, 2012 accordingly or until an alternative option is derived.

We look forward to hearing from the City to the extent that this provision will be extended to our bargaining groups. We also remain optimistic that on this occasion the City will participate in good faith.

Sincerely,

Yolanda A. Cruz
AFSCME-MEF President

LaVerne S. Washington
AFSCME-CEO President

Cc: Gregory C. Ramirez, AFSCME Business Agent
Charles E. Allen, AFSCME Business Agent